

Chapter 16

The Social Security Number

The Commission's mandate suggests that the Privacy Protection Study Commission make a study of:

the use of social security numbers, license plate numbers, universal identifiers and other symbols to identify individuals in data banks and to gain access to, integrate, or centralize information systems and files. [Section 5(c)(1)(C) of P.L. 93-579]

In accordance with this suggestion, the Commission undertook such a study, but decided to limit its empirical study to the use of the Social Security number (SSN). There is more public concern about the SSN than any other identifier and second only to names, the SSN appears to be the most widely used label¹ in America. The Commission's findings, however, apply to any widely used system of labelling individuals; its SSN study is a case study of the advantages and disadvantages of any commonly used label.

There are essentially three basic ways to identify a person—by his physical attributes (e.g., color of hair and eyes, voiceprints, fingerprints); by a possession (e.g., passport with a photograph); and by a label (e.g., name, SSN, address). This study covers only the third because the Privacy Act, the Commission's mandate, focuses primarily on the use of labels to identify individuals.

IDENTIFICATION AND AUTHENTICATION

Before the issues surrounding the use of the SSN are described, it is necessary to understand precisely what identification and authentication mean; their role in record keeping; and the way the SSN is used in identifying and authenticating individuals and records.

Identification is the process by which an individual asserts who he is or by which an organization initially determines that a record pertains to a particular individual. Although the first process can be achieved by visual recognition, people usually identify themselves by stating or showing a label; typically an individual introduces himself to an organization by stating his name. For a record-keeping organization a label is essential to select a record that pertains to a particular individual from a set of records.

¹ "Label," as used in this chapter, is a general term that includes other identifiers and authenticators in addition to the SSN.

Authentication is the process of confirming that a person is who he claims to be, or that a particular record does indeed pertain to a particular individual. Typically, an individual authenticates his identity by providing a fact about himself, or another label in addition to his identifier, that is known both to the individual and to the organization. An organization authenticates that it has correctly associated a record with an individual by comparing what it learns about the individual with information already in the record.

An example of how these processes work may be helpful. When Arthur Klein goes to his bank to make a withdrawal from his savings account, the bank first asks him for his name and then for his account number. His name is used in this instance as an identifier; the account number is used as an authenticator. The bank maintains a list of all customer names with cross-references to account numbers and when Arthur recites his number, the bank employee locates it on the list to ascertain that Arthur is who he purports to be. Before Arthur's withdrawal is processed, his account record must be located. The records clerk goes to the file containing records about customers with last names beginning with "K." There are, however, three records identified by the name "Arthur Klein." Thus, the records clerk must use Arthur's account number to discriminate among the three records identified by the label "Arthur Klein" and to authenticate the fact that a particular record pertains to *the* Arthur Klein in question.

After Arthur makes his withdrawal, he asks the bank to use some of the money he has withdrawn to make a payment on his mortgage. Because mortgages are handled by another bank employee, information about the mortgage payment must be transferred from one part of the bank to another. When the information is transferred, it is labelled with Arthur's name and account number. When the mortgage section receives the information about the payment, it includes it in another previously compiled record about Arthur. In the process of doing so, it locates records about three Arthur Klein's and uses Arthur's account number to assure itself that the record finally selected does indeed pertain to the Arthur Klein in question.

Finally, when the bank reports information about the interest on Arthur's account to the Internal Revenue Service each year, it labels the information with Arthur's name and Taxpayer Identification Number. When the IRS receives the information and wishes to add it to a record it already maintains about Arthur, it will use his Taxpayer Identification Number to discriminate among the 100 Arthur Klein's on whom it maintains records.

As this example illustrates, identification and authentication processes are essential in almost any transaction that involves an individual and an organization, an organization's employees and its record systems, and the record system of one organization and that of another. For ease of reference, the process will be called *personal identification* and *personal authentication* in the first instance, and *record identification* and *record authentication* in the latter two instances. Record identification and authentication can be intra-organizational or inter-organizational; that is, they can take place between

two record systems maintained by the same organization, or by separate organizations.

In some cases, notably where there is an automated record system involved, a label normally used as an authenticator can serve also as a record identifier and so either eliminate the authentication step altogether or require yet another label for authentication. In the above illustration, if the bank's savings and mortgage records were automated, the right Arthur Klein's record could be located by using his account number alone without reference to his name, so that the account number would be the record identifier, not the authenticator. Another label, Arthur's address, for example, could be used for record authentication purposes, or an authenticator may not be needed, especially if the identifier is known to be unique and accurate. The point here is that the same label can serve as an identifier in some instances, and as an authenticator in others. The development of automated record systems has, to a large extent, provided the impetus for widespread use of numerical labels such as the SSN for identification purposes.

As long as individuals have established relationships with organizations, personal identification and authentication have been important processes. For organizations which maintain records in order to facilitate their relationships with individuals, a record identification and authentication procedure within the organization is essential. As organizations and the populations served by them increase in size, the importance of identifying and authenticating the records which document and mediate interactions between organizations and individuals grows correspondingly. And, whenever organizations exchange records about an individual, inter-organizational identification and authentication become crucial. In such cases, the identifiers and authenticators used by the organizations between which exchanges of records take place must be common to both. This is one important reason why the use of a few widely available labels, such as the SSN, has become pervasive.

The genesis of the Social Security number offers a good example of the compelling need of organizations for accurate identification and authentication. Shortly after the Social Security Act of 1935 became effective, the Bureau of Internal Revenue issued a regulation requiring the issuance of an account number to each employee covered by the Social Security program, called a "Social Security account number." The need for the regulation is obvious. In order to carry out its program, the Social Security Administration would have to keep records about millions of workers for the rest of their lives. A worker's career could span more than half a century and could include many different employers in different locations. A separate account of the wages paid to, and the taxes withheld from, each worker had to be kept so that his eligibility for benefits, and the amount of those benefits, could be correctly established at retirement and paid thereafter.

Because the information in a single record might come from many different sources, because many workers share the same name, and because an individual may assume more than one name in the course of a lifetime, there had to be some way of uniquely labelling each worker. The solution

adopted was to issue each worker a different number, and require a worker to report his number to his employers. Employers, in turn, were required to report to the Social Security Administration (SSA) certain information regarding the wages paid to, and the taxes withheld from, every worker. This information had to be labelled with the worker's Social Security number, which would enable the Social Security Administration to keep accurate accounts of each worker's earnings over the years. Then when a worker applied for benefits, the SSN would help SSA to match worker to record, and confirm that the worker was, in fact, the person he claimed to be.

A great many other organizations with large numbers of customers, beneficiaries, or employees also found it necessary to use labels other than names. Credit-card issuers, for example, assign unique numbers to individuals when they extend credit. When an individual uses his card to charge purchases at a wide variety of organizations in many different geographical locations, each charge on an account is reported to a central location so that the client can be billed at one time for all of his purchases. Like the Social Security Administration, credit-card issuers must consolidate information about individuals received from many different sources. It is important to know which of two John J. Smiths charged \$1,000 to his account and which charged \$50. This kind of discrimination is more easily and accurately made if each John J. Smith has a unique credit-card account number.

There are also exchanges of personal information about individuals between organizations. Here, accurate identification and authentication is especially important. If, for example, an individual is incorrectly billed for a credit-card purchase because of name confusion, he can probably identify the source of the error easily and attempt to get it corrected. If, however, the credit-card issuer has reported information about the wrong individual to a credit bureau, and the credit bureau then reports it to still another credit grantor, it can take much time and effort even to locate the source of the error.

As long as organizations have relationships with individuals, most of whom are not known personally by someone within the organization, effective personal identification and authentication is an essential social mechanism. As long as organizations make decisions about individuals on the basis of recorded information, some means of assuring that the information being used does indeed pertain to the individual affected by the decision is necessary. It should also be clear that while accurate identification and authentication facilitates the work of organizations, it also benefits individuals who seek fair and prompt decisions from them. If individuals and records are not correctly identified and authenticated, an individual may be unfairly denied a right, benefit, or opportunity as a result. Society as a whole also suffers when a benefit is given to an undeserving individual. In sum, accurate identification and authentication are an essential component of fairness in record keeping.

THE SOCIAL SECURITY NUMBER AS AN IDENTIFIER AND AUTHENTICATOR

Because names are sometimes inadequate as identifiers—many

individuals may possess the same name, a single individual may change his name—and because a different label must be used as an authenticator when a name is used as an identifier, alternative labels had to be developed. There are essentially two processes that can be used to develop these alternative labels. First, a government body can decree a system of labelling and registering citizens and either mandate the use of the new labels or make them available to organizations on a voluntary basis. Some European countries have used this method and, during World War II, the United States considered adopting it to facilitate draft registration and commodities rationing.² Second, without such government action, the needed labelling systems grow up on an *ad hoc* basis to serve the special needs of particular private organizations and government agencies.

The United States did not choose the first alternative and thus, by default, has many systems of unique individual identification and authentication. Thus, today's typical American adult has a wide array of labels in addition to his or her name—a credit-card number, bank account number, driver's license number, license plate number, health insurance number, utilities account number, employee identification number, library card number, as well as a Social Security number.

Although the SSN is only one of many labels used for identification and authentication in America, it is relied on for these purposes more widely than any other kind of label except name; but the SSN is, at best, an imperfect identifier and authenticator. One reason is that until 1972, an applicant for an SSN was not asked if he had already been issued a number, nor was he asked to produce proof of identity. The result is that several million individuals now have more than one SSN—clearly a source of confusion. Another reason is that one SSN is sometimes used by more than one individual—as when a son, confused about how the system operates, uses his father's number when he goes to work. These problems are gradually being resolved in part because a Federal law [*Section 205(c)(2)(B)(ii) of the Social Security Act*] now gives the Department of Health, Education, and Welfare (DHEW) the authority to require verification of the identity of SSN applicants and to determine whether an applicant has previously been issued an SSN. Experience is slowly clearing up confusion about the system's operation.

An individual's SSN may be used for personal *identification*, although the instances in which an individual identifies himself with his SSN appear to be rare. The SSN is more often used for personal *authentication*, as when an individual wants to cash a check. The use of the SSN in *record identification and authentication*, both within and between organizations, however, is common. Most of these uses of the SSN have nothing at all to do

² See, for example, *Measures Relating to Vital Records and Vital Statistics*, U.S. House of Representatives, Document No. 242, 78th Congress, 1st Session.

with the purpose for which the SSN was originally created—the administration of the Social Security Act.³

CONCERN ABOUT THE USE OF THE SOCIAL SECURITY NUMBER

The clear need of organizations to identify and authenticate individuals and records accurately, both internally and in the course of exchanging personal information with other organizations, is seldom questioned. The propriety of certain widely used systems of labelling individuals and records, however, is hotly debated in this country. Much of this debate today centers on what uses of the Social Security number are appropriate. To understand the Commission's recommendations in this area, the arguments advanced against the use of the SSN as a widely used identifier and authenticator must be explored.

Some individuals simply resent being identified by a number rather than a name, and of these, most seem uncomfortable with the use of the SSN across the board for both personal and record identification and authentication. The case was stated by one of the Commission's correspondents, who implored the Commission to "prevent us from becoming our Social Security numbers." This concern seems to reflect the feeling that to label a person by a number rather than by a name is dehumanizing. It is probably safe to assume that these people do not object specifically to the Social Security number, but to any widely used numerical label. After all, the telephone companies incurred much wrath when they changed from name to number labels for exchanges.

In most cases, however, opposition to the use of the SSN appears to arise from a fear that if several organizations possess an individual's SSN, the ability with which these organizations can exchange information about the individual will be greatly facilitated. This kind of opposition is directed primarily to the use of the SSN for record, as opposed to personal, identification and authentication. Some individuals feel that information exchanges will not always be beneficial to them—particularly because some kinds of information should not be available to certain decision makers—and thus these exchanges should not be encouraged. Such concern is also related to a more general feeling that if the SSN is used to facilitate unconstrained exchanges of information about people, dossiers about individuals may be created that will follow them throughout life. Thus, an individual's capacity to "make a fresh start" in life would be hampered, and the processes of social control of individuals would become increasingly threatening.

Several of the Commission's correspondents expressed this general fear. For example, one asserted that "the extensive use of this single number by all government agencies allows unscrupulous individuals within the government to easily obtain all the information in a file concerning an individual." Another objected to the collection of SSNs by credit grantors

³ See DHEW Secretary's Advisory Committee on Automated Personal Data Systems, *Records, Computers, and the Rights of Citizens* (Washington: U.S. Government Printing Office, 1973), Chapter VII.

and life insurance companies because he opposed the ease with which "... one computer can 'interface' with another guy's computer and swap information."

Again, there is no evidence to suggest that any unique aspect of the Social Security number is peculiarly objectionable. Presumably, any other label—except a name—that is used as widely would arouse the same opposition and, if each individual had a unique name for life, used by him alone, it is conceivable that names also would become a target of concern.

RESTRICTIONS ON THE USE OF THE SSN

The Privacy Protection Study Commission is not the first government organization to study the use of the SSN and other identifiers and make recommendations regarding them. The Social Security Administration's Social Security Number Task Force,⁴ the DHEW Secretary's Advisory Committee on Automated Personal Data Systems,⁵ and the Federal Advisory Committee on False Identification,⁶ have all reported on the use of the Social Security number and other means of labelling individuals. In addition, the Congress has enacted legislation regarding the conditions under which disclosure of an individual's Social Security number can be compelled.

The enactment by the Congress of Section 7 of the Privacy Act of 1974 was the first step in establishing a Federal policy limiting compulsory divulgence of the SSN.⁷ Section 7 provides that:

- (a) —
 - (1) It shall be unlawful for any Federal, State or local government agency to deny to any individual any right, benefit, or privilege provided by law because of such individual's refusal to disclose his social security account number.
 - (2) the provisions of paragraph (1) of this subsection shall not apply with respect to—
 - (A) any disclosure which is required by Federal statute, or
 - (B) the disclosure of a social security number to any Federal, State, or local agency maintaining a system of records in existence and operating before January 1, 1975, if such disclosure was required under statute or regulation adopted prior to such date to verify the identity of an individual.
- (b) Any Federal, State, or local government agency which

⁴ See Social Security Number Task Force, *Report to the Commissioner*, Social Security Administration, May 1971.

⁵ DHEW Secretary's Advisory Committee on Automated Personal Data Systems, *op. cit.*

⁶ See Federal Advisory Committee on False Identification, *The Criminal Use of False Identification* (Washington: U.S. Government Printing Office, 1976).

⁷ At least three States—Oklahoma, Arkansas, and Virginia—have also enacted statutes restricting compulsory disclosure of the SSN.

requests an individual to disclose his social security account number shall inform that individual whether that disclosure is mandatory or voluntary, by what statutory or other authority such number is solicited, and what uses will be made of it.

This statute implicitly endorses two proposals of the DHEW Secretary's Advisory Committee on Automated Personal Data Systems: (1) that an individual whose SSN is requested should be informed as to whether or not divulging his number is legally required; and (2) that no individual should be denied a benefit because of his refusal to divulge his SSN for purposes other than those required by Federal law.

The Privacy Act's Section 7 exempts from its restrictions demands for an individual's SSN that are mandated by statute or regulation adopted prior to January 1, 1975 for systems of records in operation prior to that time, and, of course, does not apply at all to private organizations. Section 7 was not, however, intended to do more than impose a moratorium on demands for an individual's Social Security number by government agencies under circumstances where the individual has no choice but to comply.

In 1976, for the first time since passage of the Privacy Act, the Congress exercised its authority to authorize compulsory divulgence of the SSN. Section 1211 of the Tax Reform Act of 1976 provides that:

- (i) It is the policy of the United States that any State (or political subdivision thereof) may, in the administration of any tax, general public assistance, driver's license, or motor vehicle registration law within its jurisdiction, utilize the social security account numbers issued by the [HEW] Secretary for the purpose of establishing the identification of individuals affected by such law, and may require any individual who is or appears to be so affected to furnish to such State (or political subdivision thereof) or any agency thereof having administrative responsibility for the law involved, the social security account number (or numbers, if he has more than one such number) issued to him by the Secretary.
- (ii) If and to the extent that any provision of Federal law heretofore enacted is inconsistent with the policy set forth in clause (i) of this subparagraph, such provision shall, on or after the date of the enactment of this subparagraph, be null, void, and of no effect.
- (iii) For purposes of clause (i) of this subparagraph, an agency of a State (or political subdivision thereof) charged with the administration of any general public assistance, driver's license, or motor vehicle registration law which did not use the social security account number for identification under a law or regulation adopted before January 1, 1975, may require an individual to disclose his or her social security number to such agency solely for the purpose of administering the laws referred to in clause (i) above and for the purpose of responding to requests for information from an agency

operating pursuant to the provisions of part A or D of title IV of the Social Security Act [AFDC and Child Support Enforcement programs].

This provision was designed primarily to help State Child Support Enforcement units locate parents who have defaulted on their child support obligations, and to facilitate the matching of information on Federal and State tax returns by State taxing authorities.

The Privacy Act's Section 7 appears to have had little impact on Federal, State, and local government agencies. Most Federal agencies have been able to cite some legal authority in effect before January 1, 1975 that lets them continue to demand disclosure of the SSN. Although a few State and local agencies have abandoned the use of the SSN because they lack such legal authority, the Tax Reform Act grants most State and local government agencies that found its continued use necessary the authority to demand it. In short, the Privacy Act and the Tax Reform Act essentially preserved the status quo with respect to the SSN: namely, widespread collection and use of the number.

To make Section 7 of the Privacy Act truly effective—that is, to severely restrict the circumstances under which an individual can be required to divulge his SSN to a government agency—could easily entail costly changes for agencies that rely on the SSN for identification and authentication. If even a few persons asserted their right to refuse to divulge the SSN to a government agency, it would be required to develop and administer a new labelling system, and to revise its automated record-keeping processes. Because of the character of such revisions—which involve creating the capacity for an automated record system to deal with identifiers and authenticators other than the SSN—the cost involved would be essentially the same whether only a few individuals refused to divulge the SSN or all subjects of the system's records declined to disclose the number.

CONCLUSIONS

As noted above, the Commission believes that most concern over the use of the SSN as identifier and authenticator can be traced to two sources: (1) the belief that the SSN may facilitate the exchange, consolidation, and linkage of records or information about individuals for purposes which may be unfair to them; and (2) resentment at being labelled with a number. Revisions in Federal policy on the use of the SSN must recognize these concerns.

As to the first point, the Commission agrees with many students of the issue⁸ that the SSN is a surrogate for the problem of record linkage, exchange, and consolidation. Much of the Commission's work in other areas has focused on finding solutions to this problem. Although the SSN is often used to facilitate record exchanges, it is only one of many possible ways that

⁸ See, for example, Social Security Number Task Force, *Report to the Commissioner*, and DHEW Secretary's Advisory Committee on Automated Personal Data Systems, *Records, Computers, and the Rights of Citizens*.

records and information can be, and currently are being, linked, exchanged, and consolidated. Technical studies⁹ indicate that record-matching techniques using a combination of attributes and labels other than numerical labels (e.g., name, address, birth date, sex) are entirely adequate in many situations and record-keeping organizations do use such means of identification and authentication instead of the SSN. The U.S. Department of Transportation's National Driver Register office, and TRW Credit Data, provide two examples of organizations with large record systems that rely largely on labels other than numerical labels for identification and authentication purposes. The National Driver Register keeps records of license suspensions and revocations throughout the United States and supplies information to States upon request. TRW Credit Data is a large, automated credit bureau described in detail in Chapter 2.

The National Driver Register (NDR) contains about 5.7 million records. It receives 94,000 inquiries daily, produces 3,500 *possible* matches every day, and mails 900 *probable* matches to the States. Yet the SSN (or another unique identifier) is not the primary identifier used in this system. Instead, NDR first uses name and date of birth as primary identifiers and then uses sex, height, weight, and eye color to discriminate among records of people with similar or identical names and birth dates. The SSN is, in some cases, used to facilitate this discrimination process, but it is not available for all drivers listed in the system.

Similarly, TRW Credit Data, which has approximately 50 million records in its system, does not use the SSN or another unique identifier as its primary identifier. Like the NDR, it relies on data elements such as name, address, zip code, and age to facilitate its matching processes.¹⁰

It is true that if organizations other than the Social Security Administration were forbidden to collect and use the SSN, their exchange of records might be inhibited for a time. Such a prohibition or restriction would, however, be extraordinarily costly and cumbersome, and it would also inhibit record exchanges everyone perceives as wholly desirable along with those perceived to be threatening. Furthermore, organizations which now rely on the SSN would devise alternative methods of identification and authentication that are equally effective for record exchanges.

In any case, the question of the appropriate limitations on exchange of records would remain even if the SSN were done away with altogether. *The Commission finds that restrictions on the collection and use of the SSN to inhibit exchange beyond those already contained in law would be costly and cumbersome in the short run, ineffectual in the long run, and would also distract public attention from the need to formulate general policies on record exchanges.*

The Commission is sensitive to the second point—the belief that being labelled with the SSN is dehumanizing. Clearly, a society in which each of us is called upon at every turn to state “name, rank, and serial number” is not

⁹ See, for example, *Accessing Individual Records from Personal Data Fields Using Non-Unique Identifiers*, National Bureau of Standards, Special Publication 500-2.

¹⁰ Testimony of TRW Credit Data, *Credit Reporting and Payment Authorization Services*, Hearings before the Privacy Protection Study Commission, August 4, 1976, p. 468.

pleasing to contemplate. The Commission fails to see, however, how drastically restricting the use of the Social Security number would make much difference in this respect, since any other widely used numerical label would, as pointed out earlier, be likely to engender the same feeling. Nonetheless, the Commission believes that some of the concern about dehumanization could be diminished if government agencies and private organizations would examine the circumstances under which they request an individual's SSN, and continue only those in which the SSN furthers a legitimate and valid record-keeping purpose.

RECOMMENDATIONS

Although the Commission's mandate merely states that it may "research, examine, and analyze" the use of the Social Security number and other identifiers, its inquiry led it to conclude that some minor revisions to existing Federal policy on the use of the Social Security number are desirable. The Commission's recommendations and underlying rationale are set forth below.

SECTION 7 OF THE PRIVACY ACT

The Commission considered—and rejected—the idea of recommending repeal of Section 7 as it currently applies to Federal, State, and local government agencies. Although it does believe that, like any restrictions on the collection and use of the SSN, Section 7 does not address the complex problem of permissible exchanges and disclosures of records, the Commission recognizes that Section 7 may be somewhat successful in alleviating citizens' concerns about the "dossier-building" capacity of government. Accordingly, the Commission recommends:

Recommendation (1):

That Section 7 of the Privacy Act be retained for government agencies.

Although the Commission does not believe that legal restrictions on the collection or use of the SSN should be made to apply to private organizations, it recognizes that private organizations are in many cases willing to respond to inquiries by customers and employees regarding whether the organization requires the disclosure of the SSN, and how it will be used and disclosed. To the extent that private organizations respond to such specific inquiries, such information may permit a concerned individual to determine whether the drawbacks he perceives in giving the SSN outweigh the potential benefits, and thus whether he wishes to continue to do business with a company or to take his business elsewhere.

Individuals cannot exercise a similar option with respect to government agencies—there is generally only one government agency with which an individual can "do business"—and thus limitations on the collection of

the SSN by government agencies are appropriate even though the Commission considers them to be inappropriate for the private sector.

EXECUTIVE ORDER 9397

The Commission also recommends:

Recommendation (2):

That the President amend Executive Order 9397 (November 30, 1943, 8 Federal Register 237, an order directing Federal agencies to use the Social Security account number when establishing a new system of permanent account numbers) so that Federal agencies may not, as of January 1, 1977, rely on it as legal authority by which to create new demands for the disclosure of an individual's SSN.

Executive Order 9397, issued in 1943 by President Roosevelt, provides in part as follows:

Whereas certain Federal agencies from time to time require in the administration of their activities a system of numerical identification of accounts of individual persons; and . . .

Whereas it is desirable in the interest of economy and orderly administration that the Federal Government move towards the use of a single, unduplicated numerical identification system of accounts and avoid the unnecessary establishment of additional systems;

Now, therefore, . . . it is hereby ordered as follows:

1. Hereafter any Federal department, establishment, or agency shall, whenever the head thereof finds it advisable to establish a new system of permanent account numbers pertaining to individual persons, utilize exclusively the Social Security account numbers

This order has been cited by some Federal agencies as the legal authority permitting them to compel an individual to disclose his SSN to them, especially in cases in which no more specific legal authority for compelling SSN disclosure exists. Section 7 of the Privacy Act appears to suggest that government agencies need specific legal authority to support a request for SSN disclosure, rather than authority of general applicability such as that contained in E.O. 9397. Thus, to the extent that Federal agencies interpret E.O. 9397 as sufficient authority to establish requirements for collection of the SSN, the intent of Section 7 is undermined.

The Commission believes that Federal agencies should no longer be able to rely on E.O. 9397 as authority for new requests for SSN divulgence. In order to minimize the disruption that outright repeal of the order would cause, however, the Commission believes that agencies that cited it as the basis for their requests for the SSN prior to January 1, 1977 should be able to continue to do so. If the Commission's recommendation were adopted, any Federal agency that wishes to support a demand for the SSN after that date

would have to seek specific legal authority from the Congress unless some other specific authority is otherwise available to them.

This means that if an agency had cited E.O. 9397 as authority to require disclosure of the SSN for one purpose prior to January 1, 1977—such as personnel record keeping—it could not cite the executive order as authority for collecting the SSN for a new purpose—such as indexing records about individual contractors—after January 1, 1977. Because Section 7 of the Privacy Act currently requires Federal agencies to tell individuals under what legal authority they are soliciting the SSN, a record of the agencies citing E.O. 9397 as authority, and the purposes for which they requested the SSN pursuant to it, already exists and could be used in enforcing this recommendation.

MONITORING AND FURTHER STUDY

The Commission recommends:

Recommendation (3):

That the independent entity recommended by the Privacy Commission monitor the use of the SSN and other labels by private organizations and consider the desirability and feasibility of future restrictions on the use of the SSN and other labels for identification and authentication purposes.

Although the Commission does not believe that legal restrictions on the collection or use of the SSN by private organizations are appropriate at this time, it realizes that the use of the SSN may be a source of continuing public concern. The Commission hopes that as legislatures, public agencies, and private organizations take steps to apply its recommendations regarding the proper uses of records about individuals, this concern will diminish. If the independent entity recommended by the Commission¹¹ is created by the Congress, it could, however, continue to monitor the use of the SSN by private organizations and recommend legislation if at any point it seemed to be warranted.

STANDARD UNIVERSAL LABEL

Finally, the Commission recommends:

Recommendation (4):

That the Federal government not consider taking any action that would foster the development of a standard, universal label for individuals, or a central population register, until such time as significant steps have been taken to implement safeguards and policies regarding permissible uses and disclosures of records about individuals in the spirit of those recommended by the Commission

¹¹ See Chapter 1 for a discussion of this recommendation.

and these safeguards and policies have been demonstrated to be effective.

Here as elsewhere, the Commission stresses the need to adopt policies regarding the permissible uses and disclosures of records about individuals, and in other chapters of this report the Commission has made recommendations regarding what the permissible uses and disclosures should be in a number of record-keeping areas. These recommendations address the substantive issues of record use and exchange and their adoption would more effectively deal with these issues than would restrictions on the use of the SSN.

At the same time, however, there is currently much debate about the need to develop foolproof methods of identification in order to deter fraudulent uses of standard documents widely used for identification and authentication purposes, such as drivers' licenses and Social Security cards. The Commission recognizes that such use of identification documents imposes a heavy cost on industry, government, and society as a whole, but also recognizes that the development of improved identity documents is often viewed as inconsistent with America's tradition of civil liberties. The conflict would become especially acute if a standard universal label were linked to a central population register that maintained records of not only the name and label of each individual, but also his current address, and much more so if such location data were freely available to government agencies and private organizations. Such a central population register could be created anew, or an existing record system—such as one maintained by the Social Security Administration—could serve as such a register.

Because of this potential conflict, the Commission believes that any consideration of a standard universal label and of a record system approximating a central population register, should be postponed until society, through its legislatures, has made significant progress in establishing policies to regulate the use and disclosure of information about individuals collected by both private organizations and government agencies, and until such policies are shown to be effective.

The Commission sees a clear danger that a government record system, such as that maintained by the Social Security Administration or the Internal Revenue Service, will become a *de facto* central population register unless prevented by conscious policy decisions. Therefore, *Recommendation (4)*, above, means also that the Federal government should act positively to halt the incremental drift toward creation of a standard universal label and central population register until laws and policies regarding the use of records about individuals are developed and shown to be effective.

Epilogue

This report has called for a national policy to guide the way public and private organizations make, use, and disclose records about individuals. It looks toward a national policy on personal-data record keeping that minimizes intrusiveness, maximizes fairness, and defines obligations with respect to the uses and disclosures that will be made of recorded information about an individual. It does not address many privacy protection problems that have been the focus of legal controversy during the last decade. It is not concerned with wiretapping, abortion, or the advertising and sale of contraceptives. Nor does it specifically address misleading publication and defamation, actions that form the heart of the torts of privacy and libel. While the constitutional questions raised by specific court cases helped to direct the Commission's inquiry, the study and deliberations culminating in this report had a broader context.

The Commission has not been concerned simply with limiting *government* actions that impinge on personal privacy. Recognizing that private institutions have also become big enough and powerful enough to diminish personal privacy, many of the problems the Commission has addressed stem from actions of private organizations. Throughout the report, the Commission has tried to fashion a structure within which privacy protection problems of a nongovernmental nature can be considered and balances between the interests of the individual and the needs of social and economic organizations can be achieved. Although the framework the Commission offers provides for continuing attention to privacy issues from a broad public-policy perspective, it relies at its base on strengthening the social relationships between individuals and record-keeping organizations by articulating enforceable rights and responsibilities. This reliance grows from the realization that the intrusiveness, unfairness, and unrestricted disclosure characteristic of so much organizational record keeping today is largely the result of weaknesses in the relationship between the individual and those who need to know intimate details of his life.

The Commission recognizes the delicate nature of the balance of interests it has sought to achieve. It is aware that information is emerging as a basic currency of social, political, and economic relationships in American society. Thus, as information continues to become more valuable, public and private organizations may increasingly argue that the impact of allowing individuals to participate in deciding what organizations do with personal information are greater than society can bear. Rather than expecting organizations to justify their activities, the individual may have to bear the burden of justifying any restrictions on the collection, use, or disclosure of the information they keep about him.

The Commission's studies made it quite clear that developments in computer and telecommunications technology provide both the means and the impetus for the creation of information services that challenge assumptions implicit in existing law and regulation. In many of the chapters of this report, there is evidence that the lines that historically have separated record-keeping relationships can be blurred—easily, rapidly, and unobtrusively. The advent of compliance monitoring in public assistance programs and the merging of that function with more traditional law enforcement roles is one example. The expansion of the employee-employer relationship to include insurance and medical-care relationships is another. As the lines demarcating the record-keeping relationships individuals have with organizations blur, new balances between the individual's interest and the organization's must be forged.

To understand the focus and direction of the Commission's work, one must appreciate the moment in time at which this report is written. Portions of the area of public-policy concern labeled "privacy" have been charted; fundamental questions, such as the individual's relationship with government, have been recast. The Commission took this earlier work into account in framing its recommendations, but believes it has also presented a structure within which protections for personal privacy can be greatly strengthened.

Nonetheless, the Commission's resolution of particular issues should not be taken as answers for all time. Though the structure proposed for resolving problems is designed to survive, changes in technology and social organization may by-pass particular solutions recommended in this report. As long as America believes, as more than a matter of rhetoric, in the worth of the individual citizen, it must constantly reaffirm and reinforce its protections for the privacy, and ultimately the autonomy, of the individual.

Appendix

Hearings of the Privacy Protection Study Commission

Mailing Lists

NOVEMBER 12, 1975

- Robert DeLay, President; Gilbert Weil, Counsel; Celia Wallace, Vice President; *Direct Mail/Marketing Association, Inc.*
- Gary Beller, General Counsel; J. M. Stetler, Vice President, Card Division; *American Express Company*
- Louis Kislik, President, Publishers Clearing House, on behalf of *Associated Third-Class Mailers*
- Julian W. Haydon, Vice President, General Manager, Marketing Services Division; John M. O'Hara, Vice President, General Counsel; *R.L. Polk Company*
- Herbert E. Gertz, Data Base Director, Marketing Division; William M. Buchanan, Jr., Vice President, Secretary, and General Counsel; *Reuben H. Donnelley Company*
- Leo Gans, President, *National Business Lists, Inc.*
- Richard Krieger, Chairman, Mail Order and Book Club Division, *Association of American Publishers, Inc.*
- Henry Turner, Vice President and Circulation Director, The McCall Publishing Company, and Chairman, Circulation Committee, MPA, on behalf of *Magazine Publishers Association*
- Louis Haugh, Senior Editor, *Advertising Age Magazine*

DECEMBER 10, 1975

- Robert Ellis Smith, Editor, *Privacy Journal*
- David Cohen, President; Jack Fieldhouse, Director of Membership for Field Organization; David Dawson, Treasurer and Director of Mail Operations; Robert Myer, Budget Control Director; *Common Cause*
- Dennis Bates, Director, *Minnesota Privacy Commission*
- Richard A. Viguerie, President, *Richard A. Viguerie Company, Inc.*

- Richard Spring, Driver Services Administrator, *Virginia Department of Motor Vehicles*
- John G. Lancione, Attorney, Spangenberg, Shibley, Traci, Lancione, and Markus, Cleveland, Ohio
- Roger M. Craver, President, *Craver Company*
- William B. Walsh, Director, *Project HOPE*

DECEMBER 11, 1975

- Robert Jordan, Director, Product Management; George C. Davis, Assistant General Counsel for Consumer Protection; John Ventresco, Law Department; Stanley Mires, Law Department; *U.S. Postal Service*
- Meade Emory, Assistant to the Commissioner; James Owens, Deputy Commissioner, Accounts Collection and Taxpayer Service; *U.S. Internal Revenue Service*
- Joan Manley, Group Vice President, Publisher, Book Division; Kelso Sutton, Vice President, Magazine Circulation; John Diamond, Law Department; *Time, Inc.*
- Edward J. Bride, Vice President, *ComputerWorld Magazine*
- Harold Oram, Consultant on Fundraising, *Oram International*

Credit Cards and Reservation Systems

FEBRUARY 11, 1976

- Dee W. Hock, Jr., President, *National BankAmericard, Inc.*
- John W. Reynolds, President, *Interbank Card Association*
- J. M. Stetler, Vice President; Gary Beller, Counsel; *American Express Company*
- Kenneth Larkin, Senior Vice President; Susan L. Hedemann, Counsel; *Bank of America*
- Jeremiah S. Gutman, on behalf of *American Civil Liberties Union*
- Richard W. Selberg, Vice President, The Bank of California; Harold Bachrach, Chase Manhattan Bank; Howard E. Weston, Vice President, Washington Trust Company; Thomas J. McClaine, Vice President, National Bank of Greenwood; John Hines, Vice President, United Bank and Trust Company; Drew Tidwell, Legislative Representative; all on behalf of *Consumer Bankers Association*
- Roland Brandel, Counsel, *Western States Bankcard Association*
- Anthony P. Nicholas, Vice President; Robert Malley, Counsel; *Citibank*
- H. Randolph Lively, Director of Public Affairs, General Credit Office, *Sears, Roebuck Company*

FEBRUARY 12, 1976

- The Honorable Bella Abzug, *U.S. Representative, New York*
- William Caming, Counsel, *American Telephone and Telegraph Corporation*
- Frederick Soloman, Director, Office of Saver and Consumer Affairs, *Federal Reserve Board*
- Christian S. White, Assistant Director, Division of Special Statutes, *U.S. Federal Trade Commission*
- Rudolph J. Megaro, Manager, Retail Credit System; Herbert Birenbaum, Counsel; *Atlantic Richfield*
- Sumpter T. Priddy, Jr., President, Virginia Retail Merchants Association; Milton Schafer, Counsel, ARF; James Burke, Vice President, Credit Division, Aldens, Inc.; all on behalf of *American Retail Federation (ARF)*
- J. Keith Brooker, Assistant Credit Manager; George Gordon, Jr., Counsel; *J.C. Penney Company, Inc.*
- Charles H. Reynolds, Jr., President, Reynolds Brothers, Inc.; Jack Reid, Director, Credit Operations, J.L. Hudson Company; Sheldon Feldman; all on behalf of *National Retail Merchants Association*

FEBRUARY 13, 1976

- Max Hooper, Assistant Vice President, Data Processing and Communications Services; Jeffrey Denay, Corporate Legal Staff; *American Airlines*
- Theodore R. Trentler, Director of Reservation and Ticket Offices; Audrey Goldberg, Assistant Counsel; *Pan American World Airways, Inc.*
- Bruce G. Curry, Division Vice President; Charles A. Bovino, Counsel; *Hertz Corporation*
- Marco Armani, President; Lee Thornton, Assistant Vice President in Charge of Operations, Field Office; *Hilton Service Club Corporation*
- Edward Pritchard, Director, Reservations and Communications; Richard Braverman; *Sheraton Hotels (ITT)*

Federal Tax Return Confidentiality

MARCH 11, 1976

- The Honorable Donald C. Alexander, Commissioner; David E. Dickinson, Technical Advisor to Chief Counsel; James J. Keightley, Assistant Director for Disclosure Division, Chief Counsel; Charles A. Gibb, Chief, Disclosure Staff; Frank Malanga, Research and Operations Analysis Division, Planning and Research; Meade Emory, Assistant to the Commissioner; *U.S. Internal Revenue Service*

- The Honorable Harold Tyler, Deputy Attorney General, *U.S. Department of Justice*
- Vincent Barabba, Director; Daniel B. Levine, Associate Director for Demographic Fields; Theodore Clemence, Planning and Programs Officer; *U.S. Bureau of the Census*
- Stanley Sporkin, Director, Division of Enforcement; Paul Gonson, Associate General Counsel; Ira Pearce, Special Counsel; David Romanski, Assistant General Counsel; Charles Learner, Branch Chief, Division of Enforcement; *Securities and Exchange Commission*
- Sheldon Cohen, former Commissioner, Internal Revenue Service
- Robert Lewis, General Counsel; Jay C. Shaffer, Attorney; *U.S. Federal Trade Commission*
- Aryeh Neier, Executive Director, *American Civil Liberties Union*
- Sherwin P. Simmons, Trenam, Simmons, Kemker, Scharf and Barkin, Tampa, Florida, and Chairman, Section of Taxation, ABA; Mac Asbill, Jr., Sutherland and Asbill; both on behalf of *American Bar Association (ABA)*
- David B.H. Martin, Research Director, *Administrative Conference of the United States*

MARCH 12, 1976

- The Honorable Lowell Weicker, *U.S. Senator, Connecticut*
- William Penick, Chairman, Division of Federal Taxation; Gene Holloway, Chairman, Special Task Force on Privacy Disclosure; John Gilbert, Chairman, Committee on Tax Administration; Joel Forester, Director, Tax Division; all on behalf of *American Institute of Certified Public Accountants*
- Thomas McFee, Deputy Assistant Secretary for Management Planning and Technology; Louis Hays, Deputy Director, Office of Child Support Enforcement, Social and Rehabilitation Service; A. Robert Trazzi, Privacy Coordinator, Social Security Administration; *U. S. Department of Health, Education, and Welfare*
- Edgar Lindley, Commissioner, *Ohio Department of Taxation*; Richard E. O'Brien, Chairman, Tax Committee, *Ohio Municipal League* and Commissioner of Taxation, *City of Toledo*; John R. Urban, Administrator, *Regional Income Tax Agency*; Oscar Q. Kniceley, Income Tax Administrator, *City of Cleveland*
- James H. Tully, Jr., Commissioner, *Department of Taxation, New York*
- Owen L. Clarke, Chairman, Board of Trustees, Federation of Tax Administrators, and Commissioner of Corporate Taxation, Commonwealth of Massachusetts; Leon Rothenberg,

Executive Secretary, NATA; both on behalf of the *National Association of Tax Administrators (NATA)*

- Marion Lawless, Assistant Bureau Chief, *Florida Department of Revenue*
- Daniel Smith, Administrator, *Income, Sales, Insurance, and Excise Taxes, State of Wisconsin*
- Louise Brown, *Tax Reform Research Group*
- James D. Smith, Professor of Economics, *Pennsylvania State University*

Depository and Lending Institutions

APRIL 21, 1976

- Raymond R. Nelson, Vice President; John J. Higgins, General Counsel's Staff; *General Motors Acceptance Corporation*
- James Browne, President; Ralph Fenza, General Counsel; Dominick Sensa; Regional Director; *FinanceAmerica Corporation*
- Robert Walker, Vice President and Associate Corporate Counsel; Joseph P. Coriaci, Vice President and Cashier; Joseph W. Saunders, Personal Banking Officer; James A. Matthews, Vice President; *Continental Illinois National Bank and Trust Company*
- William Evenson, Vice President and Staff Counsel, *Bank of Virginia Company*
- Roger Jewett, Director; Sheri Cole, Associate; *TRW-Validata Systems*
- Lucille M. Creamer, Senior Vice President, Bayview Federal Savings and Loan Association; John C. Rasmus, Legislative Research Counsel, U. S. League of Savings Associations; both on behalf of *U.S. League of Savings Associations*
- June Majors, Manager, Western Electric Employees Credit Union; Arthur Samson, General Manager, Defense Mapping Federal Credit Union; Sharon Campbell, Counsel, Credit Union National Association; all on behalf of *Credit Union National Association*
- Michael Savage, Director, Office Management Systems, Office of the Assistant Secretary for Housing Production, Mortgage Credit, and Federal Housing Administration; Burton Bloomberg, Assistant General Counsel for Administrative Law and Financial Affairs; Harold Rosenthal, Departmental Privacy Act Officer; Thomas Weaver, Director, Single Family Mortgage Credit Division, Office of Underwriting Standards, HPMC; *U. S. Department of Housing and Urban Development*

APRIL 22, 1976

- Stephen Ege, Attorney; Franklin Wright, Advisor; Robert Thompson, Special Assistant; Management Systems and Administration; *Federal Home Loan Bank Board*
- Robert Haydock, Bingham, Dana, and Gould, Boston, Massachusetts
- Frederick Soloman, Assistant to the Board, and Director, Office of Saver and Consumer Affairs; Board of Governors; Warren Swaney, Legal Division; Elliot McEntee, Division of Federal Reserve Bank Operations; *U.S. Federal Reserve System*
- Charles E. Marson, Legal Director, *Civil Liberties Union of Northern California*
- Singleton Wolfe, Assistant Commissioner, *U. S. Internal Revenue Service*
- The Honorable James J. Featherstone, Deputy Secretary; Mr. Robert Stanky; Mr. Robert MacBrian; *U. S. Department of the Treasury*
- Harold R. Arthur, Vice President and Cashier, Wells Fargo Bank of North America; Robert Fabian, Sullivan, Roche, Johnson, San Francisco, California; both on behalf of *American Bankers Association*

MAY 20, 1976

- Donald L. Boudreau, Senior Vice President, *Chase Manhattan Bank, N.A.*

Insurance Institutions

MAY 19, 1976

- Robert S. Seiler, Vice President and General Attorney, Allstate Life Insurance Company; Charles N. Walker, Vice President, New England Mutual Life Insurance Company; Robert W. Blevins, Senior Vice President, Southland Life Insurance Company; A. Douglas Murch, Senior Vice President, Prudential Life Insurance Company; William H. Creamer, III, Vice President New York Life Insurance Company; Thomas F. McDermott, Vice President, Metropolitan Life Insurance Company; Jack M. Bernard, Vice President, Colonial-Penn Life Insurance Company; all on behalf of *American Life Insurance Association*
- David J. Blackwell, Vice President; A. Peter Quinn, Executive Vice President and General Counsel; Adolph Jakobek, Underwriting Secretary; *Massachusetts Mutual Life Insurance Company*
- John Petraglia, Director of Underwriting; Myles R. Tashman,

- Assistant Vice President; *New York Savings Bank Life Insurance Company*
- Charles G. Katibian, Executive Vice President, *Connecticut Savings Bank Life Insurance Company*
- Jerome E. Bolin, President, *Abraham Lincoln Insurance Company*
- Neil M. Day, Executive Director and General Counsel, *Medical Information Bureau*

MAY 20, 1976

- Jerome S. Beigler, M.D., on behalf of *American Psychiatric Association Committee on Confidentiality*
- Benjamin Lipson, President, *The Benjamin Lipson Insurance Agency*
- Sheila M. Smythe, Senior Vice President, Operations, New York Blue Cross Plan; Gerald J. Duffy, Vice President, EDP and Telecommunications Services, Blue Cross Association; Daniel Lewis, Senior Vice President, Florida Blue Shield Plan; Marshall Crawford, Legal Division, National Association of Blue Shield; all on behalf of *Blue Cross - Blue Shield*
- Angele Khachadour, Chief Counsel, *Department of Insurance, State of California*
- David G. Taylor, Deputy Director, *Department of Insurance, State of Illinois*
- J. Robert Hunter, Acting Federal Insurance Administrator, Federal Insurance Administration; Howard Clark, Special Assistant to the Administrator; *U.S. Department of Housing and Urban Development*

MAY 21, 1976

- Russell G. Press, Jr., Secretary, Property/Casualty, Government Affairs, and Law Division; Hale C. Reed, Vice President, Casualty/Property Personal Lines Department; George R. Cretney, Second Vice President, Casualty/Property Claim Department, The Travelers Insurance Companies; Jules H. Marckmann, Vice President; Richard M. Sargent, Jr., Vice President, The Chubb Group of Insurance Companies; all on behalf of *American Insurance Association*
- Richard E. Dunkley, *H. L. Rust Company*
- William E. Cassidy, Vice President, *A. H. Baker and Company*
- Frank Patterson, President, *Patterson and Associates*
- James McTurnan, Vice President, *MFA Mutual Insurance Company*
- James M. Tulloch, President; Walter Bjork, General Counsel; *Dairyland Insurance Company*

- Bradley D. Kirk, Vice President, Systems and Data Processing, *Nationwide Mutual Insurance Company*
- Robert V. McGowan, President, R.V. McGowan Insurance Agency, and former President of the National Association of Mutual Insurance Agents; Wayne Naugle, President, Naugle Insurance Agency, Inc., Vice President, National Association of Mutual Insurance Agents, and Chairman, Federal Legislation Committee, on behalf of *National Association of Mutual Insurance Agents*
- Bernard L. Hines, Jr., Vice President, *American Insurance Association*
- James F. Ahearn, Director, *Insurance Crime Prevention Institute*

Medical Records

JUNE 10, 1976

- Marian Mlay, Acting Director, Office of Policy Development and Planning, Office of the Assistant Secretary for Health; Dorothy P. Rice, Director, National Center for Health Statistics; *U.S. Department of Health, Education, and Welfare*
- Dr. John Dooley, on behalf of *California Medical Association*
- Dr. E. Martin Egelson, Manager, Division of Medical Services; Mary Converse, Senior Staff Specialist; *American Hospital Association*
- Andrew Bailey, Director, Medical Record Department, Stanford University Hospital
- Mary-J Waterstraat, Executive Director, *American Medical Record Association*
- Dr. John D. Porterfield, Director, *Joint Commission on Accreditation of Hospitals*
- Dr. Joseph F. Boyle, member, Board of Trustees; John A. Krichbaum, Assistant Director, Legislative Department; on behalf of *American Medical Association*
- Dr. Sidney M. Wolfe, Director, *Public Citizen Health Research Group*
- Dr. Charles Lewis, Director, Health Services Research Center, *University of California at Los Angeles*
- Dr. Lester Breslow, Dean, School of Public Health (UCLA), on behalf of the *American Public Health Association*

JUNE 11, 1976

- Frances Hornstein, Co-Director, *Feminist Women's Health Center*
- Dr. Maurice Grossman, Department of Psychiatry, Stanford University School of Medicine
- C. Donald Hankin, Senior Vice President, Occidental Life of

California, Chairman, CMA Joint Committee on Confidentiality of Medical Information, on behalf of *California Medical Association (CMA)*

- Dr. Catherine E. Rosen, Director, Research and Evaluation, *Northeast Georgia Community Mental Health Center*
- Dale Tooley, *District Attorney*; Peter Bornstein, *Deputy District Attorney*; Denver, Colorado
- Patrick Lynch, Attorney, Department of Preventive Medicine and Public Health, *Creighton University School of Medicine*
- Dr. Richard E. Sedlack, Chairman, Coordinating Committee; Robert Moore, Jr., General Counsel; Dr. Leonard Kurland, Chairman, Department of Epidemiology and Medical Statistics; *Mayo Clinic*
- Charles G. Collins, President; Alexander Ratco; *Micro Reproduction Services, Inc.*

JULY 20, 1976

- The Honorable Marjorie Lynch, Under Secretary; Thomas McFee, Deputy Assistant Secretary for Management Planning and Technology; Edward Gleiman, Director, Fair Information Practice Staff; *U.S. Department of Health, Education, and Welfare*
- Donald S. Fredrickson, Director, National Institutes of Health; Dr. Francis Neil Waldrop, Deputy Administrator, Alcohol, Drug Abuse and Mental Health Administration; Dr. Robert Dormer, Office of Director, National Institute of Drug Abuse; Dr. H. Bruce Dull, Director, Center for Disease Control; Dr. Faye Abdellah, Director, Office of Long-Term Care; Dr. Robert E. Streicher, Director, Center of Medical Services; Dr. Emery A. Johnson, Director, Indian Health Service; Dr. Michael J. Goran, Director, Bureau of Quality Assurance; *U.S. Department of Health, Education, and Welfare*
- Dr. Harold Margulies, Deputy Administrator, Health Resources Administration; Dr. Melvin Blumenthal, Deputy Director, Program Policy, Bureau of Health Insurance; Jean Harris, Bureau of Health Insurance; Dr. Herbert L. Blumenfeld, Acting Chief Medical Officer, Bureau of Disability Insurance, Office of Program Operations; *Social Security Administration, U.S. Department of Health, Education, and Welfare*
- Paul Willging, Deputy Commissioner, Medical Services Administration, *Social and Rehabilitative Services, U.S. Department of Health, Education, and Welfare*
- Douglas Besharov, Director, National Center on Child Abuse and Neglect, *Office of Human Development, U.S. Department of Health, Education, and Welfare*

- Dr. E. Cuyler Hammond, Vice President for Epidemiology and Statistics, *American Cancer Society*

JULY 21, 1976

- David O. Cooke, Deputy Assistant Secretary of Defense for Administration; William T. Cavaney, Executive Secretary, Defense Privacy Board; Herbert Hainer, Office of Assistant Secretary of Defense for Health Affairs; Captain L.T. Schaffner, Medical Service Corps, U.S. Navy; Major W.L. Augsburger, Medical Service Corps, U.S. Army; Lt. Col. James W. Johnson, Office of Judge Advocate, U.S. Air Force; Major Stuart S. Myers, Biomedical Sciences Corps, U.S. Air Force; Robert D. Seaman, Assistant Legal Counsel, Office of Civil Health and Medical Program for Uniformed Services; *U.S. Department of Defense*
- Dr. Lawrence B. Hobson, Deputy Assistant Chief Medical Director for Research and Development, Department of Medicine and Surgery; R.L. Carpenter, Director, Administrative Services, Department of Veterans Benefits; Joseph L. Erwin, Chief, Policies and Procedures, Medical Administration Services, Department of Medicine and Surgery; Ralph Smith, Director, Systems Development Services, Department of Veterans Benefits; John DeLeo, Assistant General Counsel; William F. Lelfrick, Attorney; Eugene O'Neill, Assistant Deputy Director, Policy and Planning; David Van Hooper, Hardware Manager, Target Systems, Department of Veterans Benefits; *U.S. Veterans Administration*
- Dr. Vergil Slee, President, CPHA; Roland J. Loup, Data Quality Control Manager, CPHA; Edward B. Codd, Director, Research and Development, CPHA; George I. Tebbel, Partner, Ernst and Ernst; all on behalf of the *Commission on Professional and Hospital Activities (CPHA)*

Credit Reporting and Payment Authorization Services

AUGUST 3, 1976

- The Honorable William Proxmire, Chairman; Ralph Rohner, Staff Counsel; *Committee on Banking, Housing and Urban Affairs, United States Senate*
- James C. Millstone, Assistant Managing Editor, *St. Louis Post Dispatch*
- Howard A. Slayback, President; David Slayback, Vice President, *O'Hanlon Reports, Inc.*
- W. Lee Burge, President and Chief Executive Officer, *Equifax Services, Inc.*; R. N. Jones, President, *Equifax Services, Inc.*; and Jeffrey V. White, President, *Credit Bureau Incorporated of Georgia*

AUGUST 4, 1976

- The Honorable Jake Garn, *U.S. Senator, Utah*
- Jeremiah S. Gutman, on behalf of *American Civil Liberties Union*
- John L. Spafford, President; D. Barry Connelly, Vice President, Public Affairs/Public Relations, Associated Credit Bureaus, Inc.; Clarke Newlin, President, ACB Services, Inc.; Don Ogden, Credit Bureau of Monroe, Wisconsin; Glen Uffman, Credit Bureau of Baton Rouge, Louisiana; all on behalf of *Associated Credit Bureaus*
- Edward J. Brennan, Jr., Vice President and General Manager; Sheri L. Cole; Government Relations Staff; *TRW Information Services Division, TRW Credit Data*
- J. E. R. Chilton, III, Chairman of the Board; Van Smith, President; James Sutton, Counsel; *Chilton Corporation*
- Richard P. Erichson, President; Rene P. Daussin, Jr., Vice President; *Credit Bureau Reports, Inc.*

AUGUST 5, 1976

- Hamilton B. Mitchell, Chairman of the Executive Committee; Harold T. Redding, Senior Vice President; *Dun and Bradstreet*
- Stephen S. J. Hall, Chief Executive Officer; Joshua Kalkstein, Corporate Counsel; *Hooper-Holmes Bureau, Incorporated*
- Mr. Michael Goldgar, Atlanta, Georgia
- Floyd Denee, Executive Vice President, *Telecredit, Inc.*
- Christian S. White, Assistant Director; Lee Peeler, Assistant to the Assistant Director, Division of Special Statutes; *U.S. Federal Trade Commission*

Educational Institutions

OCTOBER 7, 1976

- Dr. James Taylor, Deputy Superintendent; Merle Tracy, Director, Pupil Services and Attendance Branch; Richard W. Green, Chief Security Agent; David Bower, Director, Counselling and Psychological Services; Walker Brown, Principal, Van Nuys Senior High School; Owen Cornell, Principal, Utah Street High School; William Zazueta, Principal, Edison Junior High School; Dr. Dorothy Lyons, Director, Health Services; Dr. Everett Waxman, Legal Advisor; *Los Angeles Unified School District*
- Ms. Roberta Fiedler, *Citizens Advisory Committee on Integration*
- Gigi Ray, Los Angeles, California
- Robert Feran, Los Angeles, California
- Stefan Jovanovich, J.D., *Urban Policy Research Institute*

- Rosa Lopez, Executive Director, *Parent Education Center, Parents Involved in Community Action*
- Dr. Scott Gray, Assistant Superintendent; John Griffith, Director of Research; Daniel Nasman; *San Diego Unified School District*

OCTOBER 8, 1976

- Captain W. J. Riddle, Commander, Juvenile Services; Lt. Alfred R. Bongard; Investigator William Johnston, Juvenile Services Division; *Los Angeles Police Department*
- Lt. Raymond Gott, Youth Services Bureau, *Los Angeles Sheriff's Office*
- Carole Thurston; Barbara Simons; Students Rights Center; *American Civil Liberties Union*
- Marilyn Kizziah, Los Angeles, California
- Ronald Vera, *California Rural Legal Assistant*
- Martin Flam, *El Monte Legal Office*
- Ernest Gutierrez, Los Angeles County, California
- Betty Lindsay, President, *31st District, Parent-Teachers Association*, Los Angeles Unified School District
- Alan F. Charles, Assistant Chancellor-Legal Coordinator, *University of California, Los Angeles*
- Mayer Chapman, General Counsel; William Knight, Counsel; *The California State University and Colleges*
- Dr. Catherine Fink, Assistant Dean for Student Affairs and Member, Admissions Committee, Medical School, *University of California, Los Angeles*
- Judy Samuelson, Co-Director, *University of California Student Lobby, University of California, Sacramento*

NOVEMBER 11, 1976

- Keith Spalding, President, *Franklin and Marshall College*
- Richard H. Francis, Staff Assistant, on behalf of *National Association of Independent Colleges and Universities*
- Martin I. J. Griffin, Jr., Associate Dean, Yale College and Dean of Undergraduate Studies; James A. Mau, Associate Dean, Graduate School; and John B. Latella, Assistant Legal Advisor; *Yale University*
- Gerald K. Bogen, Vice President for Student Affairs, University of Oregon, representing the *National Association of State Universities and Land Grant Colleges*
- L. Orin Slagle, Dean; Thomas White, Director of Law Programs; *Ohio State University College of Law*
- Ralph Nader; Allan Nairn, Administrative Associate; *Center for the Study of Responsive Law*
- Ms. Evelyn Schroedl, Assistant Registrar, *Goucher College*

- William C. Spann, Associate Director of Registration and Records, *University of Maryland*

NOVEMBER 12, 1976

- Robert Solomon, Executive Vice President; Ernest Anastasio, Director for Research Administration; Dwight H. Horch, Program Director of Financial Aid Program; Robert E. Smith, Acting Vice President; Thomas O. White, Director of Law Programs; John A. Winterbottom, Special Assistant, Office of the President; John Kramer, General Counsel; *Educational Testing Service*
- John R. Dilworth, Director, *College Entrance Examination Board Systems*
- Frank Till, Director of Information Services, *National Student Association*
- Jo Ann Weinberger, Special Assistant to the Director, Research for Better Schools, on behalf of *American Educational Research Association*
- Dr. Henry Shetterly, Director, Division of Public Services; William Riley; Special Assistant to the Superintendent; *Montgomery County Schools*
- Dr. Stuart Sandow, Associate, *National Committee for Citizens in Education*
- Thomas McFee, Deputy Assistant Secretary for Management Planning and Technology; Edward J. Gleiman; Director, Fair Information Practice Staff; and Steven N. Schatken, Chief of Special Services Branch, Education Division, Office of General Counsel; *U.S. Department of Health, Education, and Welfare*

Employment and Personnel Records

DECEMBER 9, 1976

- Richard B. Stoner, Vice President; Ted L. Marston, Vice President of Personnel; F. J. Loughrey, Manager, Research Information Systems; *Cummins Engine Company*
- James Mazzi, District Two; John Morgan, Special Assistant to the President; Sharon Gorka; *Communications Workers of America, AFL-CIO*
- Edward A. Robie, Senior Vice President; Joseph J. DeGennaro, Executive Assistant; Edward S. Cabot, Assistant General Counsel; *The Equitable Life Assurance Society of the United States*
- Helen S. Lessin, Attorney-Advisor, Office of General Counsel, *Law Enforcement Assistance Administration, U. S. Department of Justice*

- Aryeh Neier, Executive Director, *American Civil Liberties Union*
- John Morris, Consultant, Payroll Practices and Insurance Benefits; Christopher Barreka; Office of the General Counsel; *General Electric Company*

DECEMBER 10, 1976

- Walton E. Burdick, Vice President, Personnel Plans and Programs, *International Business Machines Corporation*
- John R. Lanahan, Assistant Comptroller-Systems; David D. Byrne, Assistant Director of Personnel; David Birch; Gene Nichols Simons; Clark L. Wagner; George L. Yoxall; *Inland Steel Company*
- Robert J. Drummond, Jr., Director; Llewellyn M. Fischer, Associate General Counsel; *Bureau of Personnel Investigations, U. S. Civil Service Commission*
- Franklin A. Owens, Jr., Director, *Maryland State Employment Service*
- Charles B. Farr, Manager of Personnel Relations; Charles R. Lotter; *J.C. Penney Company, Inc.*

DECEMBER 16, 1976

- C. Hoyt Anderson, Director, Personnel Relations and Research Office; W. H. Corrigan, Manager, Security Department; A. W. Hanlon, Manager, Employment Practices and Programs Department and Labor Relations Staff; N. C. Kiefer, Supervisor, Administrative Analysis and Services; Dr. D. C. Laderach, Associate Medical Director, Medical Services; Donald S. Martin, Personnel Relations Manager; *Ford Motor Company*
- David Addleston, Deputy Director for Litigation, *National Military Discharge Review Project*; Barton Stichman, Litigation Counsel, *Georgetown University Law Center*
- Frederick W. Oswald, Vice President, Personnel; Robert W. Keith; Vice President; *Manufacturers Hanover Trust Company*
- John Fillion, General Counsel; Doris Siegner, Research Associate; *United Auto Workers*

DECEMBER 17, 1976

- Norbert Roberts, M.D., Medical Director, *Exxon Corporation*
- Bruce W. Karrh, M.D., Assistant Medical Director, Medical Division, *E. I. DuPont de Nemours and Company*
- Anthony Mazzocchi, Legislative Director, *Oil, Chemical and Atomic Workers International Union*
- Daniel Steiner, General Counsel; Daniel Cantor, Director of Personnel; *Harvard University*

- Robert E. Olsen, Director of Central Payroll, Personnel Operations; Edwin C. McManus, Staff Vice President, Employee Benefit Programs; Robert H. Murphy, Staff Vice President, Executive and Management Development; John W. Dale, Director of Industrial Security; Robert V. Underwood, Director, Personnel Practices for West Coast Operations; Marilyn P. Maledon, Assistant General Counsel; *Rockwell International*
- Constance L. Dupre, Associate General Counsel, *U. S. Equal Employment Opportunity Commission*
- Walter Davis, Special Assistant to the President, *Retail Clerk's International Union*

Research and Statistics

JANUARY 5, 1977

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JANUARY 6, 1977

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Public Assistance and Social Services

JANUARY 11, 1977

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JANUARY 12, 1977

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- Max Waldgear, Deputy Commissioner, *Department of Social Services, New York City*
- Bernard Henault, Second Vice President; George Moore, Member of the Board; *National Clients Council*
- Paul Allen, Chief Deputy Director, *Michigan Department of Social Services*
- John Townsend, Assistant Commissioner for Coordination; Alton W. Ashworth, Jr., Director, Special Projects Bureau; Sherron L. Eberle, Planner, Advanced Technology and Systems Evaluation Division; Clifton Martin, Chief Administrator of Social Services; Howard Smith, Director of Investigations; Frederick J. Biel, General Counsel; Ray Barron, Director, Parent Locator Service; *Texas State Department of Public Welfare*
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JANUARY 13, 1977

- Steven Cole, Deputy Director, *Center on Social Welfare Policy and Law*
- Larry Bolton, Attorney, *State Department of Benefits Payments, Legal Affairs Division, California*
- Peter Pennington, Acting Executive Director; William Atkinson, General Counsel, *Governor's Council on Drug and Alcohol Abuse, Pennsylvania*
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Services Administration; Michio Suzuki, Deputy Commissioner, Public Services Administration; Louis B. Hays, Deputy Director, Office of Child Support Enforcement; *U. S. Department of Health, Education, and Welfare*

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Investigative Reporting Agencies

JANUARY 26, 1977

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- Eugene Fey, Executive Vice President, Pinkerton's, Inc.; Ralph McAfee, Counsel, Crevath, Swaine and Moore, New York, New York; both on behalf of *Pinkerton's, Inc.*
- John Duffy, President; Garris Distlehorst, Executive Director, *National Council of Investigations and Security Services, Inc.*
- Sorrel Wildhorn, Senior Staff Member, *Rand Corporation*

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Personal Privacy in an Information Society

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of

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